

Key Win for U.C. Union

University of California administrators have been slapped down for illegally suspending a union member who led Cal-OSHA inspectors to dangerous exposed asbestos in two buildings on the Berkeley campus.

An order by State Labor Commissioner Lloyd W. Aubry, Jr., which was sustained this week by Director of Industrial Relations Ron Rinaldi, requires the university to erase the disciplinary suspension from Howard Eberhart's work record.

Eberhart, a member of Local

3210 of the American Federation of State, County and Municipal Employees at Berkeley, is chair of health and safety for AFSCME Council 10, the umbrella group representing locals on all nine U.C. campuses.

Eberhart, a bus driver, is to be paid \$633.48 in wages for the week he was suspended. He also gets two hours and 45 minutes of straight-time for pay docked during two Cal-OSHA inspections, and two hours at time-and-a-half for two lunch hours that he spent with Cal-OSHA inspectors when the university

would not give him time off.

And, most importantly, U.C. administrators are ordered "to cease and desist from retaliating against (Eberhart) for exercising his right to act as an employee representative in OSHA inspections and conferences...."

"This is a tremendous victory for U.C. employees up and down the entire state," declared Libby Sayre, president of AFSCME Local 3212, the professional and technical bargaining unit at Berkeley. "Furthermore, it reveals the university's shabby attitude toward worker safe-

ty."

Eberhart was not available for comment as word of the union victory spread across the campus yesterday. He was off work on union assignment at U.C.-Santa Cruz in connection with yet another campus asbestos problem.

Eberhart, driver of a campus shuttle bus, was accused of improperly leaving his job and of failing to follow procedures for obtaining time off for union activities.

The incidents occurred last August and September, but AFSCME leaders suggest

Eberhart's name had been placed on management's "list" at least a year earlier because of his outspoken opposition to privatization of the U.C.-Berkeley motor pool and the contracting-out of maintenance on university-owned vehicles.

Eberhart was accused of failing to follow procedures when he showed up on Aug. 10 to accompany a Cal-OSHA inspector on a tour of Wheeler Hall, a major campus structure in which construction workers had discovered loose

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Biggest Ever Wage Bias Trial Opens

Evidence that the State of California purposely began setting women's pay lower than men's in 1930 was presented this week in the largest sex-based wage discrimination suit ever brought to trial under the federal Civil Rights Act.

The California State Employees Association, Local 1000 of the Service Employees International Union, went before Judge Marilyn Hall Patel in U.S. District Court at San Francisco Tuesday after struggling more than four years for the opportunity to present its case.

Margaret Dean, CSEA president and a vice president of the California Labor Federation, provided a succinct summation to news media reporters following the first day of testimony.

"The state has been discriminating against women with its pay scales for more than 50 years, and it is time to stop," Dean declared.

Melvin Dayley, lead attorney for the CSEA, added another perspective for the assembled news reporters.

"A lawsuit is the only means available to us for redressing these deep-rooted issues," Dayley said. "The governor and members of the Legislature won't sit down and work out an equitable solution.... The governor won't bargain about it in a way that would really go to the heart of the issue."

CSEA General Manager Gene

Preston, facing the news media along with Dean and Dayley, said he was confident that evidence to be extracted from voluminous boxes of files visible in the courtroom would prove the union's case.

It is a class-action suit. In addition to ending sex-based wage discrimination, CSEA seeks damages for all women who have worked in the challenged pay categories since 1977.

There could be as many as

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Margaret Dean, center, president of California State Employees Assn. and vice president of the California Labor Federation, fields reporters' questions on suit over sex-based wage discrimination. At left is Gene Preston, CSEA general manager; Melvin Dayley, lead attorney for the union, is at right.

Women's Wage Dollar: 74 Cents by year 2000?

The wage gap between women and men is slowly getting narrower in the United States, the Rand Corp. reported this week.

But at the same time, Rand Corp. said, women are making up an increasing percentage of adults living in poverty in this country.

The private, non-profit research organization based at Santa Monica said that wages for all working women increased from 60 percent to 65 percent of men's wages between 1980 and 1986.

For women between 20 and 24 years old, the wage gap narrowed from 78 percent to 86 percent of men's wages, according to the report, which was published in the February issue of The Journal of Economic Perspective. It was financed with a grant

from the National Institute of Child Health and Human Development.

The authors estimated that women overall would be making between 74 percent and 80 percent as much as men by the year 2000.

The rise in the percentage of women living in poverty has coincided with an increase in divorce and unwed parenting.

Poverty was "neutral" in 1940, when more than 90 percent of all families included a husband and a wife, Rand said.

But by 1980, when nearly one family in seven was headed by a woman, 62 percent of America's impoverished adults were women, the report states.

Tucker Wins Assembly Race in L.A.

Curtis Tucker, Jr., was elected Tuesday to succeed his late father as Assembly member from the 50th District in Los Angeles County.

Democrat Tucker, running with the endorsement of the California AFL-CIO Committee on Political Education, received 71 percent of the votes cast in the special election.

He said that one of his highest priorities would be legislation to require health insurance as a condition of employment, which he hoped would be a memorial to Curtis Tucker, Sr.

The elder Tucker died of cancer Oct. 8 and was reelected posthumously at the November general election, forcing this week's special ballot.

Shell Boycott Sets Week of Actions

A second annual U.S. "Week of Actions Against Shell" has been scheduled for March 19-25 by the National Labor Shell Boycott Committee in opposition to apartheid and in commemoration of the 1960 Sharpeville Massacre in South Africa.

Plans for the week were disclosed as labor representatives from across the country convened the first meeting of the national boycott committee last month at Washington, D.C.

The committee, headed by presidents Owen Bieber of the United Auto Workers and Richard Trumka of the United Mine Workers, directs U.S. participation in the international boycott. This has included gathering hundreds of thousands of Shell credit cards to be cut up and delivered to the corporation.

The Washington meeting coincided with the start of the fourth year of the boycott.

The boycott began when Shell

Oil's parent company, Royal Dutch/Shell, fired black miners who came up from a Shell-owned coal mine in South Africa to attend services for fellow workers killed in a cave-in.

Black trade unionists asked international support for a Shell boycott, citing the parent corporation's profits under apartheid and its cooperation with the racist South African regime.

Also announced at the Washing-

ton convention was a new series of radio public service announcements taped by volunteer entertainers, public leaders and sports figures.

Among those who have taped the boycott messages are Ed Asner, Jackson Browne, Tyne Daly, Danny Glover, Jesse Jackson, Bonnie Raitt, Little Steven, Ken Linesman of the Boston Bruins, Tom Hamilton and Steve Tyler of Aerosmith, Nancy Wilson of Heart and Peter Yarro of Peter, Paul and Mary.

100 Tire Brands Bear Union Label

More than 100 union-made brands of tires are available to American Motorists, the United Rubber Workers International Union points out.

Two new additions bring the total of major union tire producers to 14, URW President Milan Stone announced. These companies and their subsidiaries produce tires under 100 other labels, including brands marketed by well-known retailers.

Michelin tires are not union. That corporation, based in France but manufacturing tires in the U.S. and Canada as well as in a number of low-wage countries, remains anti-union, the URW pointed out.

Major producers of union-made tires include:

- Goodyear, with subsidiaries Kelly and Lee.
- Uniroyal Goodrich, with brands BFGoodrich and Uniroyal.
- Firestone.
- General Tire.
- Armstrong.
- Cooper.
- Mohawk.
- Dunlop.
- Denman.
- Bridgestone.
- Pirelli.

Bridgestone and Pirelli are new

on the union-made tire list.

Bridgestone now produces union-made tires near Nashville, Tenn. Pirelli, which has purchased Armstrong to become Pirelli Armstrong, will make tires with the Pirelli label in a union plant near Hanford, Calif.

Private brand tires made by union workers can be purchased across the U.S.

Pirelli-Armstrong produces

Carleton, Formula, Sears Accu-Trac and Maxi-Trac brands.

Cooper plants produce tires labeled Atlas, Dean, El Dorado, Falls Mastercraft, Farmland, Hercules, Laramie, National, Starfire, Wintermaster and Cooper.

From the Denman plants come Dick Cepek, Gateway, Interco, Mickey Thompson, Badger, Bedford, Coker, Gateway, Lester, Mitco, Pro Trac, Regul, T.B.C.,

Universal and Denman brands. Denman also produces bias-ply tires sold under the labels of three other major companies: Firestone, General and Goodrich.

Labels coming out of the Dunlop plants include Centennial and Remington.

Firestone produces the Atlas, Dayton, Duralon, Montgomery Ward, Road King, Gillette-Peerless, Triumph and Falcon

brands.

General manufactures tires labeled Empco, Escort, Reynolds, Brigadier, Sonic, Phillips 66, Montgomery Ward, Crestwood and Premium Custom Ride.

Goodrich union-made products appear under labels including Brunswick, Cavalier, Co-Op, Cruisemaster, Diamond, Discount, Hood, Miller, Parkway, Prowler, Regul, Spartan, Stratton, and Techna.

Kelly-Springfield, a Goodyear subsidiary, produces tires labeled Co-Op, Cordovan, Cornell, Hallmark, Heritage, Jetzon, Laramie, Montgomery Ward, Multi-Mile, NTP, Pos-a-Traction, Safemark, Shell, Sigma, Star, Summit, Telstar, Union, Vanderbilt, Vogue, Winston and Kelly-Springfield.

Lee, a subsidiary of Kelly-Springfield, makes Douglas, Monarch, Republic and Lee tires.

From the Mohawk factories come union-made tires bearing the labels of K Mart, Sears, Storm Trac, Countryopolitan, Academy, Avanti, Dorchester, Electra, Sno Belt and Summit.

Uniroyal's union workers produce tire brands including Big O, Fisk, K Mart, Co-Op, National and Delta.

"The United Rubber Workers International Union feels consumers are getting the best products available when they buy URW-made tires, said Stone. "We are asking all our local unions and the entire labor movement to support us in our efforts to educate the public to buy URW-made tires and other union-made products.

"Michelin tires are not union-made," the URW president added.

Labor Watchdogs Monitor San Diego Utility Merger

The San Diego-Imperial Counties Labor Council has established a watchdog committee to monitor developments in a proposal to merge San Diego Gas & Electric Co. and Southern California Edison.

Co-chairs of the group will be Business Manager Dave Moore of Local 465, International Brotherhood of Electrical Workers, and Carl Wood, who heads Local 246 of the Utility Workers of America, according to an announcement

from Joseph S. Francis, executive secretary-treasurer of the labor council. IBEW Local 465 represents SDG&E workers.

The council will watch out for the interests of the general public as well as interests of workers, Francis said. It will work with community groups and organizations concerned with the public interest, Francis added.

The labor council leader said the merger proposal was one of the most critical issues facing San

Diego residents this year.

Francis also announced last week that the labor council had gone on record in support of a new bill by State Senator Larry Stirling, R-San Diego County, that would empower the County Water Authority to function as a public utility, providing an alternative method of delivering gas and electric service.

Stirling's measure also would make public approval in a referendum a prerequisite for merger of the utility services.

Pickets Confront Tux-Clad Crowd

About 500 elegantly-clad party-goers found themselves confronted by nearly the same number of HERE Local 2 pickets outside the new Park Hyatt Hotel in San Francisco on Wednesday night.

Women in ball gowns and men mostly in tuxedos with a scattering of white ties and tails were there for one of the preview parties leading up to the annual Black and White Ball, a major social event that benefits the S.F. Symphony.

The pickets were there because the management of the new hotel is refusing to accept a card check to determine whether workers want representation by Local 2 and is insisting instead upon the long, drawn-out National Labor Relations Board election process.

"We have nothing against the Black and

White Ball or this preliminary event," said Sherri Chiesa, president of Local 2 and a vice president of the California Labor Federation.

"It is just that the event is being held at the wrong place — a non-union hotel — and at the wrong time — immediately after the management has told us it will not agree to a fair process for determining whether the workers want the union."

Local 2 asked the hotel to allow a neutral third party to determine whether a majority of the workers had signed authorization cards and to accept the union as bargaining agent if a majority had done so.

"Hyatt management told us they would not allow a card check, that they would insist on an NLRB election," Chiesa said.

"We know what that means. NLRB election results routinely are delayed for years, often for three years or more. For workers, that's three years of no collective bargaining or union protection. It's unjust and unacceptable, and that's why we're here."

Local 2 represents about 8,000 San Francisco hotel workers. Its contracts with 40 major hotels — the other two Hyatt hotels in San Francisco among them — are to be up for renegotiation in August.

Chiesa said the push for a card check agreement represents a major change in the union's strategy for organizing new workers.

"We are among the first unions to insist on card checks, but many others will follow," she said.

Bill Aims at Forcing IWC To Obey Minimum Wage Law

Legislation that would force the Industrial Welfare Commission to abide by the law and reconsider the adequacy of the minimum wage every other year is being pushed at Sacramento by the California Labor Federation.

SB 242, introduced by Sen. Bill Greene, D-L.A., and sponsored by the state federation, would impose a minimum wage equal to one-half of the state's average manufacturing wage whenever the IWC failed to

carry out its statutory obligation to adjust the minimum to adequate levels biennially.

The commission chairperson, Lynnel M. Pollock, has not responded to reminders that the IWC now is one year overdue on the 1988 minimum wage review.

There are no teeth currently in the California Labor Code section specifying biennial wage reviews.

Pollock has never answered a let-

ter sent to her last December by John F. Henning, executive secretary-treasurer of the state federation, pointing out that a minimum wage review due to be launched on Jan. 1, 1988, would be a year overdue as of the first of last month.

The minimum wage increase that went into effect on July 1, 1988, was the result of the 1986 review, Henning pointed out.

The IWC stalled that review process for more than two years. At one point it was holding hearings on the question of whether it ought to hold hearings on the adequacy of the wage.

The raise last July lifted the minimum to \$4.25 from \$3.35, where it had been pegged through action taken by previous commissioners during the administration of Gov. Jerry Brown.

The IWC conducted reviews in 1982 and 1984, impanelling wage boards to hold hearings and make recommendations but taking no action when employer and labor representatives deadlocked. In both years, employer members urged no wage increase while labor members called for adjustments. The IWC majority went along with employers both times.

ACTWU Cites Family Issues

The Amalgamated Clothing and Textile Workers Union has compiled provisions from 65 of its contracts into a booklet on women's issues and family concerns.

Topics include discrimination, marriage, maternity, paternity and adoption leave, child care and flexible hours.

Contracts range from the men's tailored clothing master agreement to individual apparel and textile firms, as well as Xerox Corporation and some non-profit agencies.

The booklet is entitled "Bargaining on Women's Issues and Family Concerns: Clauses from ACTWU Contracts." It can be obtained free of charge from the ACTWU Research Department, 15 Union Square, New York, N.Y. 10003. The phone is (212) 242-0700.

APRI Announces Conference Dates

The 20th annual conference of the A. Philip Randolph Institute is scheduled for June 22-25 at the Fairmont Hotel in New Orleans.

Workshops and other conference events will celebrate the life of Randolph, founder of the Brotherhood of Railway Sleeping Car Porters, who was born in 1898. Information can be obtained from Mary Pearce, administrative director of the institute, at 260 Park Ave. South, New York, N.Y. 10010. The phone is (212) 533-8000.

HRDI's White Speaks

Mike White, regional coordinator of the AFL-CIO Human Resources Development Institute, spoke on new employment and training legislation during a luncheon held by the San Mateo County Organizing Committee yesterday at the Villa Hotel in San Mateo.

Datebook

Executive Council, California Labor Federation: Biltmore Hotel, Los Angeles, March 7-8.

Eighth Annual Conference, California Section of the A. Philip Randolph Institute: Capitol Plaza Holiday Inn, Sacramento, March 16-19.

Contracting-out Conference, California Labor Federation: Capitol Plaza Holiday Inn, Sacramento, April 4.

Joint Legislative Conference: Radisson Hotel (formerly the Woodlake Inn), Sacramento, May 22-24.

Publisher's Notice

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Employers Must Post Injury, Illness Reports

February is the month during which companies with 11 or more employees must post summaries of the total numbers of job-related injuries and illnesses that occurred during 1988, the federal Occupational Safety and Health Administration pointed out this week.

The requirement is one of the federal regulations that are expected to be superceded by Cal-OSHA's stricter controls when the reinstated state program is fully in effect later this year.

Employers with 10 or fewer employees don't have to make accident and injury reports. Other "statistically safe" industries also

are exempt under federal OSHA.

This, and the fact that such employers also are largely exempt from job site inspections under federal OSHA, are among the reasons that the California Labor Federation led the campaign to restore Cal-OSHA through passage of Proposition 97 at last November's general election.

Federal OSHA Form 200, on which the injury and illness totals are to be posted, can be obtained from federal OSHA field offices or from the U.S. Department of Labor Publications Clerk, 71 Stevenson St., San Francisco, CA 94105. The phone number at the San Francisco office is (415) 995-5672.

Topic: Lumber Unions

An exhibit entitled "Lumber and Labor in Humboldt County" will open with a public reception 6 to 8 p.m. Thursday, March 2, at the Labor Archives and Research Center at San Francisco State University.

The exhibit includes photographs, documents and newspapers relating to the history of trade unionism in the lumber industry. Also on display will be such artifacts as an oversized banner of Lumber and Sawmill Workers Union, Local 2592, and a hammer used to imprint the union label on cut lumber.

On hand to greet guests at the reception will be Albin J. Gruhn, president of the California Labor Federation; R. Jeffry Lustig, director of the Timber Unions of Humboldt County History Project, and Daniel A. Cornfield, historian and author of *Workers and Dissent in the Redwood Empire*, which was published last year.

The exhibit was prepared by the Timber Unions project under Lustig's direction. It will remain on view in the reading room of the archives through March 31.

The archives is located at 480 Winston Drive between Stonestown and Lake Merced on the northern edge of the S.F. State campus. A parking lot next to the archives is available to visitors.

Further information can be obtained by phoning Lynn A. Bonfield, archives director, at (415) 564-4010.

"Lumber and Labor in Humboldt County" is the second in the 1989 series of public programs at the archives.

Last Tuesday evening archives guests heard politicians, labor leaders and university faculty members discuss "Labor and Politics: Who Influences Whom?"

Participants were Joseph L. Alioto, former mayor of San Francisco; Nancy Walker, incumbent member of the S.F. Board of Supervisors; Paul Varacalli, international vice president of the Service Employees International Union and president of the SEIU California State Council; Rufus Browning, SF State professor of political history, and Robert W. Cherny, chair of the History Department.

Bonfield announced that labor librarians and archivists would be honored during a program entitled "Keepers of the Labor Record" that is scheduled for 7:30-9 p.m. Thursday, April 27, at the archives.

Unions, councils and friends of labor are being asked to nominate persons who have been keeper of labor records over the years.

A special guest that evening will be Philip P. Mason, director of the Archives of Labor and Urban Affairs at Wayne State University in Michigan.

Courses Focus On Leadership

A series of courses aimed at improving leadership and representational skills of union members is being offered by the San Francisco Community College Labor Studies Program.

Included are parliamentary procedure, May 6; public speaking, Feb. 24 and 25; assertiveness training, April 7 and 8; and advanced steward training, March 11 and 18 and April 1.

Details can be obtained from the Labor Studies Program at 33 Gough St., San Francisco 94103, phone (415) 239-3090.

February 10, 1989

Learning with LIAP

The country's largest privately operated, non-profit educational program for immigration amnesty applicants is in full operation at Los Angeles under AFL-CIO direction.

The Labor Immigrant Assistant Project (LIAP), funded largely with a \$1 million federal check that Bill Honig, state superintendent of education, handed to labor leaders Dec. 6 at Sacramento.

Classes, many held in union halls and led by trade unionist volunteers recruited through the Los Angeles County Federation of Labor, are providing immigrants with the instruction they need in English, civics and U.S. history to complete requirements for legal residence under amnesty provisions of the Immigration Reform Act.

Dave Sickler, regional director for the national AFL-CIO, said the demand for LIAP classes was exceeding expectations.

One of the results, Sickler said, is new members for the California Immigrant Workers' Assn., the AFL-CIO-sponsored organization for newly-arrived workers who may not be employed under union contracts but who like what they have seen of the American trade union movement and wish to maintain contacts made through LIAP.

To keep the classes abreast of the demand, intensive training for volunteer instructors was held this week at the Los Angeles County Fed in facilities made available by William R. Robertson, executive secretary-treasurer.

Teresa Sanchez-Gordon, executive director of LIAP, said the federal grant was speeding expansion of the program.

"These desperately needed funds are help-



Instructor Alicia Huerta, left, uses teaching aids to assist participant in LIAP class at Los Angeles.

ing us realize our vision of an amnesty education program to serve the enormous immigrant community of Southern California," she declared.

Sickler provided perspective on the size of this immigrant community.

"More than 51 percent of the aliens in the U.S. who are eligible for permanent resident status reside in California, and 90 percent of those residents in California are in Los Angeles and Orange counties," Sickler said.

LIAP classes are work-oriented, giving par-

ticipants practical tips on life and survival in the U.S. After the first 40 hours, participants receive a certificate that meets requirements for permanent residence under the Immigration Reform Act.

Some classes are held at worksites. Evening and weekend sessions accommodate workers.

LIAP also provides a central Labor Learning Center where participants can go alone or in groups for tutorial assistance or to use computers, video and audio tapes and other learning aids.

Last Big U.S. Silicon Plant Falls Into Foreigners' Hands

There are no more American-owned suppliers of silicon in Silicon Valley.

The takeover of Monsanto Electronics Materials Co. of Palo Alto by Huels AG of West Germany was approved Tuesday by President Bush. Monsanto was the last major American supplier of silicon wafers, and the sixth largest in the

world.

Silicon wafers are the indispensable ingredient used to make the computer chips in most electronics products.

The wafers are to computers as steel is to automobiles. Silicon is so important that its name is applied to the entire geographical area where the American electronics industry was born and where it flourished in-

to its former world dominance.

Overseas suppliers willing to sell silicon wafers below market prices in order to drive out competitors are blamed by some.

Dan Hutcheson, president of VLSI Research of San Jose, said the federal government had failed to come up with a policy to help U.S. firms compete with such foreign suppliers.

"It's real depressing," Hutcheson told the San Francisco Examiner. "It's another glaring sign . . . that our country is losing its technical capability and with it the ability to support our economy and defend ourselves in the future."

Japanese-owned firms now produce 70 percent and European-owned firms 26 percent of the world supply of silicon wafers.

U.S.-owned IBM, AT&T, Motorola and Texas Instruments still manufacture silicon wafers, but only for their own uses.

The deal to sell Monsanto Electronic Materials was made three months ago. A federal task force recommended that Bush give the necessary approval.

Bush is said to have been assured that the German buyers would keep Monsanto in this country, but not for how long.

CWA Local Seeks Data On Anti-Union Company

Local 9410 of the Communications Workers of America is conducting a survey throughout Northern California to determine which organizations friendly to labor are having their office copiers maintained by Taylor Made Systems of Concord.

Employees of Taylor Made voted more than seven years ago to be represented by the UFCW. The company refused to bargain. Instead, it brought in high-priced, anti-labor lawyers who have used the courts and legal appeals to deprive workers of a union.

Taylor Made services most Canon Copier equipment in Northern California. It also services

other brands of copiers and other types of office equipment.

"CWA would like to find users of Taylor Made services to help us get a message to Barry Taylor, owner of Taylor Made Office Systems," Local 9410 officers said in an appeal for assistance.

Persons whose offices use the firm or who know of companies that employ Taylor Made, and those who want to help the workers win a decent contract are urged to phone Frank Tanner at (415) 777-9410 or Virginia Jones at (415) 348-7303. CWA Local 9410 is at 240 Second St., San Francisco 94105.

Computer Speeds Disability Claims

The state Employment Development Department has completed installation of an automated computer system making it possible to process Disability Insurance (DI) claims and authorize payments on the same day.

Kaye R. Kiddoo, EDD director, termed the \$7.9 million system a major upgrade and said it was "up and running" at all 21 DI insurance offices throughout the state.

Disability Insurance provides workers with benefits ranging from \$50 to \$225 a week when they are off work because of illness, incapacity or injury not job-related. It

is financed by workers themselves through a payroll tax.

The new system links all the DI offices in a common on-line data base. In addition to giving EDD the means of processing and paying claims on the same day, it can automatically calculate or waive the waiting period, quickly re-calculate payments due a claimant after a change in status, generate forms for claimants and doctors, and produce instant reports for the insurance fund managers.

Kiddoo praised the EDD staff for the success of the changeover. "It worked and worked well

thanks in large part to a dedicated, well-coordinated team of EDD employees," the director said.

California's DI system, one of only five such state systems in the country, was established in 1946 with strong support by the California Labor Federation.

A revised list of DI offices was released by Kiddoo.

Northern California offices are:
Chico, 645 Salem St., (916) 895-4349;
Eureka, 415 4th St., (707) 445-6568;
Oakland, 1111 Jackson St., (415) 464-1103;
Redding, 615 Locust St., (916) 225-2900;
Sacramento, 5009 Broadway, (916) 739-3328; San Francisco, 745 Franklin St.,

(415) 557-3157; San Jose, 111 E. Gish Road, (408) 277-1551; Santa Rosa, 50 D St., (707) 576-2013, and Stockton, 333 Benjamin Holt Drive, (209) 948-7135.

Southern California DI offices are:
Bakersfield, 1401 S. H St., (805) 395-2852; Culver City, 3861 Sepulveda Blvd., (213) 397-3238; Glendale, 237-B N. Central Ave., (818) 241-8383; Long Beach, 1315 Pine Ave., (213) 559-8900; Los Angeles, 1525 S. Broadway, (213) 1744-2365; San Bernardino, 371 W. Third St., (714) 383-4109; San Diego, 5660 Friars Rd., (619) 237-7147; Santa Ana, 28 Civic Center Plaza, (714) 558-4264; Santa Barbara, 128 E. Ortega St., (805) 564-0307; Van Nuys, 5430 Van Nuys Blvd., (818) 995-3548, and Whittier, 13215 E. Penn St., (213) 945-4083.

Biggest Wage Trial Opens

(Continued from Page 1)

100,000 persons in the class. The potential damages are uncalculated, but in speculation the total has reached hundreds of millions — possibly a billion dollars.

Dayley called it "absolutely the most significant discrimination case going right now for women in state civil service."

The case is based solely upon the contention that there was intentional downgrading of women's pay in relationship to men's pay starting in 1930, that this practice continued through a major restructuring of state civil service starting in 1938, and has perpetuated discriminatory pay scales for such female-dominated job categories as nurse, librarian, secretary and clerk.

In this it differs from the "pay equity" suit by Washington State employees that was dismissed in the 9th U.S. Circuit Court of Appeal in 1985.

That decision, written by Anthony M. Kennedy who now is a U.S. Supreme Court Justice, held that federal civil rights statutes are not violated by existence of inequitable pay scales unless intent to discriminate also is established. The State of Washington contended that it relied in good faith upon pay scales in effect in private industry.

CSEA is in court to prove that California intentionally set women's pay lower than men's and then kept it there.

Judge Patel has decided to hear the case in phases. The first, which opened Tuesday, concerns the 1930s, when the State of California first established a pay and classification plan. Subsequent phases will be scheduled at the judge's discretion. The entire trial is expected to last three months. The case is being heard without jury.

The first witness for CSEA was

William Dickens, U.C.-Berkeley professor of economics, who testified that the state "explicitly considered sex" in setting pay in 1930-31.

The state's method, Dickens told the judge, was "to pay classes which were predominantly women, less."

The "key rate concept" introduced starting in 1930 and based upon sex of job holders is the basis for pay groups established in state civil service in 1937-38, Dickens testified.

Those pay relationship levels have been perpetuated, the U.C. economist testified.

Getting to court with the case required efforts of heroic proportions. State attempts to get the case thrown out or drastically narrowed resulted in half a dozen courtroom battles.

CSEA filed the original complaint in November of 1984, naming 10 union members as plaintiffs

on behalf of the entire class of women in low-paying "female jobs."

The case was assigned at that time to Judge Patel.

State attorneys tried without success in February of 1985 to persuade Judge Patel that the case should be dismissed on grounds the union had failed to state a legal claim. The judge refused, ordering proceedings to continue. The lengthy discovery process began in April of 1985. Inspection of documents and the taking of sworn statements then got underway.

CSEA won a major pre-trial victory in September of 1985 when Judge Patel ruled that the case could be tried as a class action. A second victory that month came when the judge turned down a state attempt to limit CSEA's access to records.

The state made a major move in July of 1986, asking the court to

rule without a trial on the basis of information both sides had turned up at that time. CSEA asked more time to gather additional evidence, and Judge Patel set a hearing for May of 1987 on the state's motion.

Inspection of records and deposing of witnesses continued, and CSEA retained statistical experts to analyze state pay records.

The result was that the union was able to argue down the state's summary dismissal, allowing the case to proceed toward trial.

Another major state challenge was turned back last October when Judge Patel denied the state's request to rule out back pay. She also refused a state request to decertify the class of women workers, which would have required each affected person to file her own separate lawsuit.

A trial date of Feb. 7 finally was set last December.

U.C. Union's Key Victory

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asbestos.

That inspection already had been cancelled once. A Cal-OSHA inspector, arriving at the campus a day earlier in response to a union complaint, had been intercepted by a U.C. personnel official who told him she had no idea where any AFSCME officer could be found to explain the problem. Union leaders noted that this personnel official has contact with shop stewards and other leaders on a daily basis.

Cal-OSHA came back for another look at Wheeler Hall on Aug. 15. This time the U.C. personnel manager told the inspector that Eberhart had gone on vacation.

Eberhart was indeed on vacation. He had surrendered two hours of his accumulated vacation time to conduct a scheduled safety training session for union members after the university blocked him from taking uncompensated time. But he was on campus, and he had a radio, and he showed up in time to meet the inspector and to be reprimanded again by management.

Labor Festival On Labor TV

Excerpts from the 1987 Western Workers Labor Heritage Festival are being broadcast over five San Diego County cable channels this month by Labor Link TV.

The schedule includes:

Del Mar Channel 37 and Cardiff Channel 30, today, Feb. 17 and Feb. 24 at 4:30 p.m.; S.W. Cable, Channel 15, today and Feb. 24 at 7:30 p.m.; Cox Cable, Channel 24, tomorrow, Feb. 18 and Feb. 25 at 8:30 p.m., and T-M Dimension, Channel 2, Feb. 14 and 28 at 10 a.m.

The volunteer labor television group announced that its February program also includes a rebroadcast of "The Mill Hunk Herald" by Tony Buda, a segment from its first-ever telecast.

CNA Seeks Staffer

The California Nurses Association is seeking a director for its economic and general welfare program. Applicants should send resumes to Executive Director Barbara L. Nichols, California Nurses Association, 1855 Folsom St., Suite 670, San Francisco 94103.

The two hours and 45 minutes of straight-time compensation is for pay that was docked on these two occasions.

The two hours of time-and-a-half is for two lunch hours Eberhart spent showing a Cal-OSHA inspector where asbestos was exposed in the university garage.

On one of those occasions, a supervisor ordered Eberhart to leave the scene of the inspection and get back to driving his shuttle bus. The Cal-OSHA inspector intervened, explaining to the supervisor that Eberhart had a legal right to be present as a union representative and that the university had a legal obligation to free him from his assignment for as long as the inspection required.

Rinaldi's ruling sustaining Aubry's order was received at AFSCME local headquarters yesterday. The director of industrial relations wrote that there was "... substantial evidence to support the decision of the labor commissioner."

Owen Marron, executive secretary-treasurer of the Alameda County Central Labor Council, said the U.C. management's efforts to frustrate Cal-OSHA inspections demonstrated the value of California's worker safety and health agency.

"This happened during the period of time that workers in the private sector were under jurisdiction of federal OSHA," Marron noted. "Thanks to the success of Proposition 97 at last November's general election, Cal-OSHA again covers all workers, and not merely those employed by public agencies."

The labor commissioner's ruling renders moot a grievance pending under AFSCME's collective bargaining contract with U.C.

Two days of hearings have been held before an arbitrator and closing briefs are due shortly. However, Aubry's order gives Eberhart everything the union asked in the arbitration, a union officer said.

The asbestos issue arose last Aug. 4 when construction workers installing earthquake reinforcements in Wheeler Hall showed AFSCME members quantities of loose asbestos they had discovered in the structure.

The administration cleared workers out of Wheeler for four

days and then announced that the problem had been solved. Clerical workers, who were just about the only people inside the building during summer recess, had their doubts.

Judy Shattuck, president of AFSCME Local 3211, the Berkeley clerical bargaining unit, called for a Cal-OSHA inspection.

It was on the next day, Aug. 8, that an inspector showed up and was told that administrators couldn't locate any officers of the union.

Similar suits have been brought against a number of unions, many apparently instigated by such anti-

union groups as the National Right-to-Work Committee.

The ruling follows the same reasoning as the decision in a similar suit by the Right-to-Work group that was won by ALPA in Virginia.

Federal law enables a non-union worker required to pay agency shop fees to limit use of his money to purposes "germaine to collective bargaining."

A suit filed in 1986 contended that the 21 pilots could be charged only for collective bargaining at United

The Air Line Pilots Association has won a major legal victory against anti-union efforts to drastically narrow the expenses that agency shop fee-payers can be required to support.

The decision in a U.S. District Court in Denver upholds ALPA and rejects arguments on behalf of 21 pilots at United Airlines who elected to pay agency shop fees rather than join the union.

A separate controversy has arisen over what happened next.

The inspector returned the next morning and was met by Eberhart and Mike Votichenko, an AFSCME Council 10 business agent. That was the day of Eberhart's first run-in with managers over the asbestos inspections.

When the two union representatives, the inspector and about 10 U.C. administrators entered Wheeler Hall, they found the building sparkling with tidiness.

It turned out that the administration had taken advantage of the one-day delay to give Wheeler a thorough cleaning.

AFSCME says some 20 night-shift custodial workers were brought in from other buildings and told to clean up all dust and debris. The workers were given no asbestos protection gear. They were assured by supervisors that the building was safe — something the administration was in no position to know, the union argues.

Wheeler remained closed when school reopened last fall, causing great disruption. The building, a major campus structure, houses the U.C.-Berkeley English Department, three libraries, classrooms and many faculty offices.

Pilots' Union Wins Agency Fee Suit

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A suit filed in 1986 contended that the 21 pilots could be charged only for collective bargaining at United

Airlines, and not for bargaining costs at any other airline. The suit also objected to creation by ALPA of a strike fund.

The ruling, by U.S. Judge Zita Weinschenk, found that ALPA was justified in charging pilots for costs of bargaining at other airlines because of the direct economic links between contract settlements at different airlines.

The court also upheld ALPA's method of calculating rebates to agency shop fee-payers, the union's notice procedures.

Union Management Seminar at UCLA

A two-day seminar on human resource development for union chief executive officers will be held Feb. 27-28 at the Harbortown Marina Hotel in Ventura under sponsorship of the UCLA Center for Labor Research and Education.

Special management problems of labor organizations will be a focus.

Instructors are being drawn from the Labor Center and Management Center of the UCLA Institute of Industrial Relations and from the university's Graduate School of Management.

They have been selected for expertise in management and organization development and for understanding of the important distinctions between running a union and operating a for-profit enterprise, according to Gloria Busman, Labor Center program coordinator.

Golfers Aid Child Care Project

Affiliates of the San Diego-Imperial Counties Central Labor Council are participating as sponsors in the golf tournament that will benefit a new community child care project.

The tournament is scheduled to start at 11 a.m. on Monday, March 13, at Chula Vista Golf Course under sponsorship of the labor council and Local 30 of the Hotel Employees and Restaurant Employees. A large array of prizes will be awarded at a post-

tournament banquet.

The beneficiary child care program is being launched by Labor's Community Service Agency of San Diego. The aim is to make quality, affordable child care available to working parents, according to Joseph S. Francis, executive secretary-treasurer of the council.

Gold, silver and bronze sponsorships are available to local unions. The event is being billed as the "first annual" tournament. Information can be obtained by phoning Jef Eatchel at (619) 283-6575.